

CITY OF BATAVIA
MINUTES OF THE BATAVIA CITY COUNCIL
March 7, 2016 at 7:30 p.m. - City Council Chambers
100 N. Island Ave. Batavia, Illinois

PLEASE NOTE: These minutes are not a word-for-word transcription of the statements made at the meeting, nor intended to be a comprehensive review of all discussions. Minutes are intended to make an official record of the actions taken by the Committee/City Council, and to include some description of discussion points as understood by the minute-taker. Any references to discussion and /or statements are only to provide greater clarity to the public and they may not reference all, some, or any of an individual speaker's comments.

1. MEETING CALLED TO ORDER by Mayor Pro Tempore David Brown 7:31 p.m.

2. INVOCATION by Ald. Hohmann followed by **PLEDGE OF ALLEGIANCE** led by Ald. Mueller

3. ROLL CALL: 14 of 14 aldermen were present.

Aldermen (by ward): Michael O'Brien (1), Carl Fischer (1), Martin Callahan (2), Alan Wolff (2), Kyle Hohmann (3), Dan Chanzit (3), Paula Mueller (4), Susan Stark (4) Lucy Thelin Atac (5), Kevin Botterman (5), Nicholas Cerone (6), Michael Russotto (6), David Brown (7) and Drew McFadden (7) were present.

Ald. Brown announced he would be voting in the capacity of alderman while chairing the meeting as Mayor Pro Tempore

Also present were BATV and members of the press, public and the following:

City Administrator	William McGrath
City Attorney	Roman Seckel
City Clerk	Heidi Wetzell
Community Development Director	Scott Buening
Building Commissioner	Jeff Albertson
Human Resources Director	Wendy Bednarek
Finance Director	Peggy Colby
Fire Chief	Randy Deicke
Public Works Director	Gary Holm

4. ITEMS REMOVED/ADDED/CHANGED

Switch items 8 and 9 on the regular agenda.

Remove Closed Session

Motion by Ald. Atac, seconded by Ald. Cerone, to approve the agenda as amended. Motion carried 14 yea/ 0 nay/ 0 absent

5. CONSENT AGENDA

Accept and Place on File:

- A. Committee of the Whole Minutes for February 2, and February 9, 2016
- B. Community Development Quarterly Report
- C. Tree Commission Minutes for September 2, 2015 and October 14, 2015

Approvals:

- D. February 26, 2016 Payroll \$763,873.25
- E. Accounts Payable Check Register \$3,791,463.93
- F. City Council Minutes for February 1, and February 15, 2016
- G. RESOLUTION 16-06-R: Authorizing to purchase one 2016 International 7400 4x2 Dump Truck Chassis from Rush Truck Centers for \$75,992.00 (Scott Haines 2/16/16 COW 2/23/16 9/0) CS**
- H. RESOLUTION 16-20-R: Requesting a Permit from IDOT for the Closure of Various Roadways for 2016 Loyalty Day parade (Gary Holm 2/12/16 COW 2/16/16 11/0) CS**
- I. ORDINANCE 16-11: A Variance for a Detached Garage – Spillane & Sons Inc., Applicant 514 Main Street (DMR 2/15/16 COW 2/23/16 9/0) CD**
- J. ORDINANCE 16-13: Update to 2015 Property Maintenance Code (JSA 2/15/16 COW 2/23/16 9/0) CS**
- K. RESOLUTION 16-24-R: Approval of 2016 Zoning Map (SCB 2/19/16 COW 3/1/16 13/0) CD**
- L. RESOLUTION 16-25-R: Police Authorized Tow Contract (GJS 2/25/16 COW 3/1/16 13/0) GS**
- M. RESOLUTION 16-27-R: Award of contract for NE and SE Substation Maintenance to Siemens Industries, Inc. (Mustafa Kahvedzic 2/25/16 COW 3/1/16 13/0)**

Motion by Ald. Atac, seconded by Ald. Stark, to approve the Consent Agenda as presented. Motion Carried 14yea/ 0 nay/ 0 absent

6. MATTERS FROM THE PUBLIC: (For Items NOT on the Agenda) - none

7. CHAMBER OF COMMERCE

Holly Deitchman announced the ribbon cuttings at the BP Pride Station, Advanced Window and Siding and Sure Movements Yoga Studio.

Restaurant Madness will be March 21-25 with 22 local restaurants participating.

Deitchman introduced Mario Spina, CEO of The Pride Stores, a family owned company with 12 stores. They cleaned up the site with a new car wash and a new restaurant. The Pride Stores support two charities companywide Heart of a Marine and the Child Life Program at Central Du Page Hospital. The station generated over \$400,000.00 in sales tax, city tax and motor fuel sales tax last year.

9. OATHS: Swear in ESDA Volunteers—Harry Reineke IV and Matthew Arnolts (Chief Deicke 3/2/16)

Mayor Pro Tempore Brown is honored to be able to administer the oaths of office this evening. He is very pleased with the quality of recruits for ESDA and the Fire Department and the ability of those recruits to move up within the department.

Mayor Pro Tempore Brown administered the oaths of office.

8. OATHS: Deputy Fire Chief Edward Jancauskas; Battalion Chief Mark Cwinski ; Full-time Lieutenant Scott Stephens; Probationary Full-time Firefighter/Paramedic Peter Penkava; (Chief Deicke 3/1/16)

Chief Deicke made remark on each of those taking the Oath of Office:

Ed Jancauskas has been on the department for 28 years. He started as a paid-on-call firefighter in 1987 and became a full-time firefighter in 1990. He was promoted to Lieutenant in 1999 and to Battalion Chief in 2006. He has a Bachelors degree in Business and a Masters degree in Public Administration. He is a certified Chief Fire Officer, Fire Officer II, Fire Apparatus Engineer, and is Nationally Certified as an Incident Safety Officer. He holds many additional certifications in Hazardous Materials and Rescue.

Mark Cwinski has been a firefighter for the City of Batavia for 15 years. He started his career as a full time firefighter in March of 2001 and was promoted to Lieutenant in 2012. Mark is a certified Firefighter III, Fire Officer II and Fire Service Instructor II. He also holds numerous certifications in Hazardous Materials and Rescue.

Scott Stephens was hired as a paid-on-call firefighter on October 12, 1987 and became a Full-time Firefighter on June 10, 1996. Scott is a certified Firefighter III, Fire Officer I and Fire Service Instructor II. He is also Paramedic certified and holds numerous certifications in Hazardous Materials and Rescue.

Peter Penkava was appointed to the position of Probationary Full-time Firefighter/Paramedic by the Fire and Police Commissioners on Tuesday, March 1, 2016, with an effective date of March 10, 2016. Mr. Penkava is a certified Firefighter III and Paramedic.

Mayor Pro Tempore Brown administered the oaths of office.

10. PRESENTATION: Text to 9-1-1 Deployment

Ald. Stark announced that texting to 911 should only be used as a last resort as with any text it may not go through. Call if you can text if you can't.

Stacey Hall Executive Director of Tri Com reminded all to call if you can and text if you can't. There is no location finder so when requesting assistance two pieces of info in the text need to be where you are and what is going on. This text service is still deploying so not every area in Kane County has the capability. If the text is deployed in an area that cannot receive the text the sender will receive a bounce back message. Also do not add anyone to the text it is not a group message text to 911 only.

11. ORDINANCE 16-06: Amending Title 11, Chapter 5, Section 9 of the Municipal Code: Sidewalks (Scott Buening 2/24/16 COW 2/23/16 7/4)

Ald. Atac reminded all that this has been discussed since last fall.

Community Development Director Scott Buening explained that staff offered several options to the Committee of the Whole. This option the committee selected will waive the fee and the sidewalk requirement if the development is beyond 500 ft from and existing sidewalks or 1000 ft from a park or school.

Ald. Atac will not vote in favor of this for the reasons she has stated in the past. All the city planning documents as well as data she has found suggests we want to have sidewalks in the city. Right now there is not many houses that fit that criteria for we do not know what will happen in the future when the in town lots may be developed. She is in favor of the waiver for the sidewalk but not in favor of the waiving of the fee

Motion by Ald. Stark, seconded by Ald. McFadden, to approve Ordinance 16-06: Amending Title 11, Chapter 5, Section 9 of the Municipal Code: Sidewalks. Motion Carried 10yea/ 4 nay (Atac, Stark, Chanzit, Wolff)/ 0 absent

12. ORDINANCE 16-12: Amending Title 8 of the Batavia Municipal Code Relating to Electric Service Regulations and Rates (Gary Holm 2/9/16 COW 2/16/16 11/0) PU

Ald. O'Brien announced The City retained Baker Tilly in 2015 to analyze our electric rates and to make recommendations on our rate structure. One of Baker Tilly's recommendations was to establish a new rate classification for our largest industrial customers. The City previously established a new classification for industrial customers who utilize more than 50,000,000 kWh per month. Baker Tilly recommended another rate classification for customers who utilize between 30,000,000 and 50,000,000 kWh each month. Ordinance 16-12 establishes that new rate class. This Ordinance does not modify rates or fees for any existing electric rate classification. This Ordinance establishes a new rate classification for our largest industrial customers and it also addresses some technical issues that have been identified since the last revision.

Motion by Ald. O'Brien, seconded by Ald. Mueller, to approve Ordinance 16-12: Amending Title 8 of the Batavia Municipal Code Relating to Electric Service Regulations and Rates. Motion Carried 14 yea/ 0 nay/ 0 absent

13. APPROVAL: Waive Formal Bidding for Purchase from Henderson Truck Equipment

Motion by Ald. Wolff, seconded by Ald. Hohmann, to approve Waiver of Formal Bidding for Purchase from Henderson Truck Equipment. Motion Carried 14yea/ 0 nay/ 0 absent

14. RESOLUTION 16-22-R: Authorization to Purchase Truck Equipment from Henderson Truck Equipment for \$42,300.00 (Scott Haines 2/3/16 COW 2/23/16 9/0) CS

Motion by Ald. Wolff, seconded by Ald. Stark, to approve Resolution 16-22-R: Authorization to Purchase Truck Equipment from Henderson Truck Equipment for \$42,300.00. Motion Carried 14yea/ 0 nay/ 0 absent

15. APPROVAL: Waive Formal Bidding for Purchase from Monroe Truck Equipment

Motion by Ald. Wolff, seconded by Ald. O'Brien, to approve Waiver of Formal Bidding for Purchase from Monroe Truck Equipment. Motion Carried 14yea/ 0 nay/ 0 absent

16. RESOLUTION 16-23-R: Authorization to Purchase Truck Equipment from Monroe Truck Equipment for \$63,064.00 (Scott Haines 2/16/16 COW 2/23/16 9/0) CS

Motion by Ald. Wolff, seconded by Ald. O'Brien, to approve Resolution 16-23-R: Authorization to Purchase Truck Equipment from Monroe Truck Equipment for \$63,064.00. Motion Carried 14yea/ 0 nay/ 0 absent

17. RESOLUTION 16-26-R: Authorizing Task Order # 19 with RJN Group for Engineering Study of the First St. Sewer Basin (JD 2/23/16 COW 3/1/16 13/0) PU

Ald. O'Brien offered the City has been working with RJN Group, Wheaton IL. to address issues that came up during the heavy rain incidents. The City has set aside \$400,000.00 to deal with the problem.

Ald. Wolff asked about the flow directions on the memo and was told that if the map is blown up enough the arrows become visible.

Ald. Brown reminded all it will take studies like this to find out what we have to do to fix issues in the City.

Motion by Ald. O'Brien, seconded by Ald. McFadden, to approve Resolution 16-26-R: Authorizing Task Order # 19 with RJN Group for Engineering Study of the First St. Sewer Basin for an amount not to exceed \$73,895. Motion Carried 14yea/ 0 nay/ 0 absent

18. ADMINISTRATOR'S REPORT – City Administrator Bill McGrath

The parkway tree program has started details are on the front page of the city website, It is a 50/50 split ranging from \$150.00 to \$170.00 spring planting deadline is April 1st.

Yard waste can be put out in a paper waste bag, a well-marked container weighing not more than 50 lb. or bundles of brush not more than 4 feet long and weighing not more than 50 lbs. The brush program has not started so all will need stickers.

The annual rain barrel sale is going on and can be ordered online until April 27

There are some retirements on the horizon and HR has done a strength assessment of all the department heads which will be given to the new administrator and discussed so everyone has a better idea of how each department works.

The Community Development Department is going back through the Ordinances to find items that may be onerous for businesses and homeowners

The Community Development Department will do a post variance review to see if there is need for staff action or a code change.

Still looking at the relocation of the food pantry.

19. COMMITTEE REPORTS

Community Development Committee- Ald. Stark

The Community Development Committee meet in the Committee of the Whole on March 15. The Plan Commission will meet on March 16. The Historic Preservation Commission and Bicycle Commission will meet on March 14.

Government Services Committee- Ald. Atac

The Government Services Committee will meet in the Committee of the Whole on March 8.

City Services Committee – Ald. Wolff

The City Services Committee will meet in the Committee of the Whole on March 8 and March 15.

Public Utilities – Ald. O'Brien

The Public Utilities Committee has nothing on the agendas for the month of March.

Ald. Brown announced there is one position open on the environmental commission. Anyone interested please contact City Hall.

20. OTHER BUSINESS- none

21. REMOVED CLOSED SESSION:

- a. Purchase and Sale of Electric Power
- b. Purchase of Real Property

22. ADJOURNMENT 8:24 p.m.

Motion to adjourn by Ald. O'Brien, seconded by Ald. Stark, motion passed by voice vote.

Minutes prepared and submitted by,
Heidi Wetzell
City Clerk